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**Via ECF**

Hon. Philip M. Halpern, U.S.D.J.  
United States District Court  
Southern District of New York  
300 Quarropas St.  
White Plains, NY 10601

Application granted. The time for Plaintiff to seek a default judgment in accordance with this Court's Individual Practices is extended to and including February 14, 2022.

The Clerk of the Court is respectfully directed to terminate the motion sequence pending at Doc. 64.

SO ORDERED.



Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
January 3, 2022

**Re: Letter Motion Requesting Extension of Time to File Default Judgement for Defendants**

**Bermejo Sanango v. Ruby Nails Tarrytown, Inc et al. No. 20-cv-08245 (P.M.H.) (S.D.N.Y.)**

Your Honor,

This office represents the Plaintiffs in the above referenced matter. We write respectfully and pursuant to Your Honors Individual Rules 1(C) requesting an extension of time to file Plaintiff's Motion for Default as to Ruby Nail Tarrytown Inc and Edwin Keh (Hereinafter "Defaulting Defendants"). Plaintiffs respectfully request an additional 45 days to file their Default Motion as to Defaulting Defendants meaning the time for Plaintiff to file their Motion will be extended from December 31, 2021 to February 14, 2022. This is Plaintiffs First request and granting such request will not prejudice any party in the matter since two out of the three defendants are in Default and the last defendant, Mi Young Kal, the case is stayed against her.

On November 23, 2021, Your Honor issued an order laying out the next steps of how the case should proceed. In that order Your Honor stated that, plaintiff shall move for Default Judgment against Defaulting Defendant by December 31, 2021. In moving for Default Judgment, Plaintiff requested Clerks Certificate of Defaults for Defendants Ruby Nails Tarrytown on November 23, 2021. The court issued Plaintiff the Clerks Certificate of Default for Ruby Nail Tarrytown Inc on November 30, 2021.

Plaintiff request an additional 45 days to move for Default Judgment for Defaulting Defendants because plaintiff would like to see the result of the Bankruptcy Court matter for the final Defendant that the case is stayed against. Plaintiffs are set to have a Conference with the Bankruptcy judge and Defendant Mi Young Kal on January 6, 2022 regarding Plaintiffs/ Creditors Motion to Lift Stay on the Bankruptcy proceeding. If the judge lifts the stay on the bankruptcy proceeding then Defendant Mi Young Kal will be part of the Federal Case again. Depending on the ruling on the bankruptcy court matter, will affect how Plaintiffs moves forward with the case. This is due in part because if Defendant Mi Young Kal ends up not participating in the Federal case after the stay is lifted then Plaintiff's plan to move for Default against her for failure to Defend her case. Should Plaintiff move for Default Judgment for

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Defendant Kal at a later date, plaintiff intends to move for Default Judgement as to all three Defendants at the same time to save plaintiff time and not waste the courts time and resources in filing two separate motions.

For the reasons stated above, Plaintiff respectfully request an additionally Forty-Five (45) Days to move for Default Judgment as to Default Defendants meaning that the time to move for Default Judgment will be extended from December 31, 2021 to February 14, 2022

We thank the Court for its attention to and consideration of this matter.

Respectfully submitted,

TROY LAW, PLLC

/ Aaron Schweitzer

Aaron Schweitzer

*Attorney for Plaintiffs*

cc: via First Class Mail

Mi Young Kal

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AS/gd